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MEMORANDUM FOR: The Director
The Deputy Director

FROM: John L. Helgerson
Director of Congressional Affairs

SUBJECT: Weekly Report

25X1 Administration Formally Opposes Grassley Amendment. Reacting to comments from CIA and others in the Intelligence Community, the Office of Management and Budget has written a letter to the Senate leadership and the Senate Appropriations Committee expressing Administration opposition to inclusion of the so-called "Grassley amendment" in the FY '89 Treasury, Post Office and General Government appropriations bill currently under consideration by the Committee. The FY-89 version of the Grassley Amendment, like its FY-88 predecessor, would restrict use of secrecy agreements by CIA and the Community, among others. A US District Court recently struck down the 1988 provision on constitutional grounds. It appears this most recent Administration effort, combined with pressure from the Senate Intelligence Committee, may be successful in securing deletion of the provision from the bill. []

25X1 Justice May Oppose SSCI-CIA Agreement on Inspector General Provisions. OMB has provided us with a draft Justice Department letter to Congress registering a constitutional objection to a provision in the Senate version of the FY-89 intelligence authorization bill concerning the CIA's Inspector General. The provision in question requires the DCI to make certain limited reports to the Congress on the IG and his activities. Justice believes the provision is constitutionally objectionable because it reveals too much of Executive Branch decisionmaking processes to the Congress. This objection, however, could jeopardize our existing agreement with the SSCI on the IG provisions and open the door to much more stringent GAO and statutory IG proposals during Senate floor consideration of the bill at the end of June. We have registered our concerns with the White House, OMB, the NSC and Justice, and are also considering how best to raise the issue with the Congress. []

25X1 Intelligence Oversight Legislation: Secretary of Defense Carlucci and Senator Cohen testified yesterday before the House Foreign Affairs Committee on the Intelligence Oversight Bill. Carlucci, who testified on this subject previously before the []

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House and Senate Intelligence Committees, again reiterated his strong opposition to the mandatory 48-hour notification requirement. Not surprisingly, Senator Cohen supported the notification requirement and also urged the Committee to modify through statute or legislative history the definition of covert action to ensure that an activity that would constitute a covert action if conducted by CIA could not evade the requirements of finding by having a law enforcement agency conduct the activity.

It appears increasingly likely that House Republicans will remain united against the bill. Without significant defections by the Republicans, any Presidential veto of the bill will be sustained in the House.

John L. Helgeson

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